

# Debtors' Ex. 76

August 9

Act No. 219

Section 2. This Act shall become effective sixty (60) days after being passed.

*Passed on August 9, 1998.*

### **Issuance of Bonds – Authorization**

(House Bill 1497)

(Conference)

[No. 219]

*[Passed on August 9, 1998]*

### **ACT**

To authorize the Issuance of Bonds of the Commonwealth of Puerto Rico in a principal amount not to exceed four hundred seventy-five million (\$475,000,000) dollars and the issuance of promissory notes in anticipation of bonds to cover the cost of necessary public improvements and the cost of the sale of said bonds; to provide for the payment of principal and interest on said bonds and promissory notes; to authorize the Secretary of the Treasury to make temporary advances from the General Fund of the Treasury of the Commonwealth to be applied to the payment of the costs of said improvements and said sale of bonds; to grant to the Secretary of Transportation and Public Works and other agencies and instrumentalities of the Commonwealth the power to acquire necessary real and personal property and to exercise the power of eminent domain and to exempt from the payment of taxes said bonds and promissory notes and the interest thereon.

*Be it decreed by the Legislative Assembly of Puerto Rico:*

Article 1. The Secretary of the Treasury is hereby authorized to issue and sell, at one single time or from time to time, bonds of the Commonwealth in a principal amount not to exceed four hundred and seventy-five million (\$475,000,000)

Act No. 219

August 9

dollars, for the purpose of covering the cost of the necessary public improvements hereinafter enumerated, including acquiring necessary land or land rights and equipment for same, preparing plans and specifications, the costs of sale of the bonds and promissory notes issued in anticipation thereof and all other necessary expenses in connection with the acquisition or construction of such improvements.

The public improvements and costs of sale of the bonds to be financed under this Act and the estimated amounts of bond proceeds to be applied to each such improvement and costs by major spending item are as follows:

|              |  |                      |
|--------------|--|----------------------|
| I            | Transportation and Communications Facilities   | \$ 72,633,000        |
| II           | Water and Sewerage Facilities  | 51,098,000           |
| III          | Hospital, School, Social Welfare and Labor Facilities                                | 11,188,000           |
| IV           | Agricultural and Tourist Facilities  | 49,743,000           |
| V            | Construction and Improvement of Parks and Other Recreational and Cultural Facilities | 29,125,000           |
| VI           | Development of Flood and Solid Waste Control Projects                                | 59,594,000           |
| VII          | Costs required for the 1999 Bond Issuance  | 3,250,000            |
| VIII         | Construction Works   | 85,000,000           |
| IX           | Construction and Home Improvement  | 57,625,000           |
| X            | Development of Projects for Protection and Security                                  | 31,994,000           |
| XI           | Extraordinary Maintenance Fund – Lake Carraízo Dredging                              | 23,750,000           |
| <b>TOTAL</b> |  | <u>\$475,000,000</u> |

In connection with the acquisition and construction of the public works listed above, the Secretary of the Treasury is hereby authorized to pay all costs incurred in connection with the issuance of bonds and promissory notes authorized by this Act. Any discount, commitment fee or

August 9

Act No. 219

the syndication or similar charge payable on account of the issuance of bonds and promissory notes shall be included in calculating the price or prices at which such bonds and promissory notes may be sold, in accordance with the provisions of this Law.

Article 2.

(a) The bonds to be issued from time to time under the provisions of this Act, as well as any other details thereof, shall be authorized by Resolution or Resolutions to be adopted by the Secretary of the Treasury and approved by the Governor. Said bonds shall be designated as "Public Improvement Bonds of the Commonwealth of Puerto Rico for the Year 1999."

(b) The bonds authorized to be issued under the provisions of this Act shall be dated, shall mature on a date or dates not to exceed thirty (30) years from their date or dates (except for bonds relating to public housing which shall not mature later than forty (40) years from their date or dates), shall bear interest at a rate or rates not to exceed the legally authorized rate at the time of issuance of said bonds; at the option of the Secretary of the Treasury they may be made redeemable prior to their maturity, may be sold with or without premium, shall be of such denomination and in such form, with interest coupons or registered at both, shall have such registration and conversion privileges, shall be executed in such manner, shall be payable at such places in or out of the Commonwealth of Puerto Rico and shall contain such other terms and conditions as may be provided by the authorizing Resolution or Resolutions.

(c) The bonds authorized by this Act may be sold all at once or from time to time, at public or private sale, and at such price or prices of no less than the price or prices legally established at the time of issuance thereof as the Secretary of the Treasury may determine, with the approval of the Governor, to be in the best interests of the Government of Puerto Rico.

Act No. 219

August 9

(d) Whenever any official whose signature or facsimile appears on any bond or coupon authorized by this Act shall cease to hold office prior to the delivery of such bonds, the signature or facsimile shall nevertheless be valid and sufficient and shall be deemed for all purposes as if the individual had remained in office until said delivery, provided further that any bond or coupon may bear the signature or facsimile of those persons who at the time of execution of said bond are the proper officials to sign said bond, but who at the date of the bond are not occupying that position.

(e) Bonds issued pursuant to the provisions of this Act shall be considered negotiable instruments under the Laws of Puerto Rico.

(f) The bonds authorized under this Act may be issued in coupon form or in registrable form, or in both forms, as determined in the Authorizing Resolution or Authorizing Resolutions, and may provide for the registration of any bonds or coupons as to principal only and also as to principal and interest and for the reconversion of coupon bonds from any bonds registered as to principal and interest.

Article 3. The Secretary of the Treasury is hereby authorized, with the approval of the Governor, to negotiate and grant with any bank, investment house or other financial institution, such loan contracts, purchase agreements or other financing agreements as may be necessary for the sale of the bonds or bond anticipation promissory notes authorized to be issued under Section 5 of this Act, under such terms and conditions as the Secretary of the Treasury may determine to be in the best interests of the Government of Puerto Rico.

Article 4. The good faith, credit and taxing power of the Commonwealth of Puerto Rico are hereby irrevocably pledged for the timely payment of the principal of and interest on the bonds issued under the provisions of this Act. The Secretary of the Treasury is hereby

August 9

Act No. 219

authorized and directed to pay the principal and interest on said bonds, as same become due, from any funds available for such purpose in the Treasury of the Commonwealth of Puerto Rico in the fiscal year in which such payment is required, and the provisions contained in this Act related to the payment of the principal of and interest on said bonds, shall be deemed a continuing appropriation for the Secretary of the Treasury to make such payments even if no specific appropriations are made for such purposes. Said payments shall be made in accordance with the provisions of the Laws of the Commonwealth that regulate the disbursement of public funds.

The Secretary of the Treasury is hereby authorized and directed to include in the Authorizing Resolution or Authorizing Resolutions the commitment hereby made by the Commonwealth and to specify in the bonds that the good faith, credit, and taxing power of the Commonwealth is hereby pledged.

Article 5. In anticipation of the issuance of bonds, the Secretary of the Treasury, by resolution approved by the Governor, is hereby authorized, at any time, or from time to time, to borrow money and issue promissory notes of the Commonwealth payable solely from the proceeds of said bonds.

Said promissory notes shall be designated "Commonwealth of Puerto Rico Bond Anticipation Note" and it shall be stated thereon that they are issued in anticipation of the issuance of said bonds.

Such promissory notes, including any renewals or extensions thereof, shall be dated, may be issued from time to time with maturity dates not to exceed five (5) years from the date of first issuance; they shall bear interest at a rate not exceeding that legally authorized at the time of issuance of such promissory notes, may be made redeemable prior to maturity at the option of the Secretary of the Treasury, shall be in such form executed in such manner and

Act No. 219

August 9

may be sold at private or public sale at such price or prices of no less than the price established by Law at the time they are issued and shall contain whatever other terms and conditions as may be provided in the Authorizing Resolution or Authorizing Resolutions adopted by the Secretary of the Treasury and approved by the Governor.

Article 6. The good faith, credit and taxing power of the Commonwealth shall be irrevocably pledged for the timely payment of interest on any promissory note issued pursuant to the provisions of this Act. The Secretary of the Treasury is hereby authorized and directed to pay the interest on said promissory notes, as same become due, from any funds available for such purpose in the Treasury of the Commonwealth during the fiscal year in which such payment is required. The provisions contained in this Act related to the payment of interest on the promissory notes in anticipation of the issuance of bonds shall be deemed a continuing appropriation for the Secretary of the Treasury to make such payments even if no specific appropriations are made for such purposes.

The Secretary of the Treasury shall, in accordance with the provisions of this Act, issue bonds in sufficient time and in the amount necessary to provide the funds required to pay the principal of the promissory notes as the same become due and payable and shall apply the proceeds of the issuance of the bonds to the payment of said promissory notes.

Any payments to be made with respect to the promissory notes in anticipation of the issuance of the bonds will be made in accordance with the provisions of the laws of Puerto Rico governing the disbursement of public funds.

Article 7. The proceeds from the sale of the promissory notes and bonds issued under the provisions of this Act (other than the proceeds of the bonds required for the payment of the principal of such promissory notes) shall be paid into a special fund called the "1999 Public Improvement Fund" and shall be disbursed in accordance with the statutory provisions

August 9

Act No. 219

regulating the disbursement of public funds and for the purposes provided herein.

Article 8. The Secretary of the Treasury is hereby authorized to make provisional advances of any funds available in the State Treasury to be applied to defray the cost of the public works authorized to be financed with the proceeds from the sale of the bonds issued under the provisions of this Act. The Secretary of the Treasury shall reimburse any provisional advances made from the first moneys available in the 1999 Public Improvement Fund.

Article 9. The Secretary of the Treasury, in accordance with the determinations of the Director of the Office of Management and Budget, and with the approval of the Governor, is hereby authorized to apply any money allocated by this Act, and which is not needed for the purposes herein contemplated, to the execution of any other permanent public improvements approved by the Legislature and which are pending and chargeable to the General Fund.

Article 10. The acquisition and construction of the public improvements authorized to be financed with the proceeds from the sale of the bonds issued under the provisions of this Act shall be carried out in accordance with the plans approved by the Planning Board pursuant to the provisions of Act No. 75 of June 24, 1975, as amended [23 L.P.R.A. secs. 62 et seq.], and subject to subsequent approval by the Government of Puerto Rico.

Article 11. The Secretary of Transportation and Public Works and the agencies and instrumentalities of the Commonwealth in charge of the programs for which the proceeds from the sale of the bonds issued under the provisions of this Act are to be applied, are hereby authorized, and empowered to acquire in the name of the Commonwealth of Puerto Rico or in the name of said agency or instrumentality, as the case may be, by donation, purchase or by exercising the right of eminent



Act No. 219

August 9

domain in accordance with the Laws of Puerto Rico, any land or rights to land and interest therein, and to acquire such movable property or equipment as they may deem necessary to carry out the public improvements enumerated in Section 1 of this Act.

Article 12. The amount of three million two hundred fifty thousand (\$3,250,000) dollars or such portion thereof as may be necessary is hereby appropriated from the proceeds of the sale of the bonds issued under the provisions of this Act, to be applied to the payment of the expenses incurred in connection with the issuance and sale of said bonds.

Article 13. From the proceeds of the sale of the bonds issued under the provisions of this Act, the amount of twenty-three million seven hundred fifty thousand (\$23,750,000) dollars shall be fully appropriated to the allocation made to the Infrastructure Financing Authority (AFI) to finance the dredging and maintenance of Lake Carraízo, pursuant to Act No. 66 of August 14, 1991, as amended [7 L.P.R.A. secs. 1382 et seq.] establishing the Extraordinary Maintenance Fund and setting forth that five (5) percent of the bond issue shall be used for permanent improvement projects related to water resources, among other purposes.

Article 14. All bonds and promissory notes issued under the provisions of this Act, as well as the interest accrued thereon, shall be exempt from the payment of all taxes imposed by the Commonwealth of Puerto Rico and its instrumentalities.

Article 15. This Act shall not be deemed to repeal or amend any other previous law of the Legislative Assembly of Puerto Rico authorizing the issuance of bonds of the Commonwealth of Puerto Rico. The bonds authorized by this Act are in addition to any other previously authorized bonds of the Commonwealth of Puerto Rico.

August 9

Act No. 220

Article 16. This Act shall become effective on July 1, 1998, except for the provisions of Article 8 of this Act, which shall become effective immediately upon being passed.

*Passed on August 9, 1998.*

**Treasury; Demographic Registry – Amendments**

(House Bill 1546)

[No. 220]

*[Passed on August 9, 1998.]*

Act

To add Article 3A; to amend subsection (h) of Article 5, Article 32 and the first paragraph of Article 38 of Act No. 24 of April 22, 1931, as amended; to amend Article 2 of Act No. 111 of June 30, 1957; and to amend Article 4 of Act No. 4 of March 2, 1971, in order to empower the Secretary of Health to establish by regulation the amounts of fees to be charged for the services provided by the Demographic Registry and to provide that the funds collected for this purpose shall be deposited in a Special Fund in the Department of the Treasury and shall be allocated to the budget of the Demographic Registry for its operating expenses.

STATEMENT OF LEGISLATIVE INTENT

The Demographic Registry of Puerto Rico, its sub registries and subordinate registries have an important responsibility in the custody and issuance of various types of records, certificates and other documents. These records and documents constitute the basic source of data for the production of statistical information from the analysis of which demographic changes occurring in a Pueblo can be detected.



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### TRANSLATOR'S CERTIFICATE OF TRANSLATION

Translation from: Spanish (Puerto Rico) into English (US)

TARGEM Translations Inc.

I, Andreea I. Boscor, ATA-certified Spanish-English #525556, acting as translator at TARGEM Translations Inc., a NEW YORK City corporation, with its principal office at 185 Clymer Street, Brooklyn, NY, 11211, USA, certify that:

the English translated document is a true and accurate translation of the original Spanish and has been translated to the best of my knowledge.

Original Document Name: **Act 219 approved 8.9.1998**

Signed this 8<sup>th</sup> day of October 2021



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A handwritten signature in blue ink, appearing to read "Andreea I. Boscor".

Andreea I. Boscor

